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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/766,382	01/19/2001	Robert Betros	DISC1100	7353

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EXAMINER	
BRUCKART, BENJAMIN R	
ART UNIT	**PAPER NUMBER**
2155	

DATE MAILED: 12/19/2005

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary	Application No.	Applicant(s)	
	09/766,382	BETROS ET AL.	
	Examiner	Art Unit	
	Benjamin R. Bruckart	2155	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

1)☒ Responsive to communication(s) filed on *19 October 2005*.

2a)☐ This action is **FINAL**. 2b)☒ This action is non-final.

3)☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

4)☒ Claim(s) *1,3-4 and 6-21* is/are pending in the application.

4a) Of the above claim(s) _____ is/are withdrawn from consideration.

5)☐ Claim(s) _____ is/are allowed.

6)☒ Claim(s) *1,3,4 and 6-21* is/are rejected.

7)☐ Claim(s) _____ is/are objected to.

8)☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

9)☐ The specification is objected to by the Examiner.

10)☐ The drawing(s) filed on _____ is/are: a)☐ accepted or b)☐ objected to by the Examiner.

Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).

Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).

11)☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

12)☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).

a)☐ All b)☐ Some * c)☐ None of:

1.☐ Certified copies of the priority documents have been received.

2.☐ Certified copies of the priority documents have been received in Application No. _____.

3.☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

1) ☒ Notice of References Cited (PTO-892)
2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
3) ☒ Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08) Paper No(s)/Mail Date *20051019*.
4) ☐ Interview Summary (PTO-413) Paper No(s)/Mail Date. _____ .
5) ☐ Notice of Informal Patent Application (PTO-152)
6) ☐ Other: _____.

Detailed Action

Status of Claims:

Claims 1, 3-4, 6-21 are pending in this Office Action.

Claims 2 and 5 are cancelled.

Claims 1, 3, 17 and 21 are amended.

Drawings

Applicant's drawings submitted 10/19/05 have been entered.

Response to Arguments

Applicant's arguments filed in the amendment filed 10/16/05, have been considered but are moot in view of the new ground(s) of rejection.

Claim Rejections - 35 USC § 112

The following is a quotation of the second paragraph of 35 U.S.C. 112:

> The specification shall conclude with one or more claims particularly pointing out and distinctly claiming the subject matter, which the applicant regards as his invention.

Claims 1 and 21 are rejected under 35 U.S.C. 112, second paragraph, as being indefinite for failing to particularly point out and distinctly claim the subject matter which applicant regards as the invention.

Claims 1 and 21 contain vague and indefinite language that fails to distinctly show what is being claimed. Such language is confusing to the examiner as to the differences between the

application context and remote application being executed by a client to a web server. Wouldn't it be easier to say remote application being executed on a client across a messaging bus to the server where the application is running? Another confusing limitation is the use of sockets and HTTP requests to setup asynchronous connections. HTTP requests are unmistakably synchronous connections through a firewall to a web server. The two-way asynchronous connection is setup by request from the client. This is a cause and effect relationship as argued against in applicants remarks. See remarks below

Applicant's invention as claimed:

Claims 1, 3-4, 6-7, 10-11, 14-21 are rejected under 35 U.S.C. 103(a) as being unpatentable by U.S. Patent No 6,880,010 by Webb et al in view of U.S. Patent No. 6,088,796 by Cianfrocca et al.

The Webb teaches:
Regarding claim 1, a system for collaborative processing with distributed applications (Webb: col. 1-2; lines 66-5; client and server), comprising:

at least one application context in which an application is executed (Webb: col. 2, lines 6-29), the application context including an application CGI for managing the application (Webb: col. 2, lines 6-29; interfaces with network for communication to server), and a communication interface on which application data is communicated as messages (Webb: col. 2, lines 6-29; Fig. 1);

a messaging bus configured to communicate the messages for processing by the application (Webb: col. 1, lines 24-38; Fig. 1);

at least one gateway context including a gateway CGI configured for maintaining two-way asynchronous communication between the messaging bus and a remote application (Webb: col. 2; lines 3-5; col. 4, lines 14-24; col. 5, lines 19-26), said remote application being executed by a client to a web server (Webb: col. 2, lines 3-20), the gateway CGI being configured to maintain the two-way asynchronous communication until termination of the remote application or by the gateway CGI (Webb: col. 6, lines 41-47); and

the web server, said web server being configured to establish a socket connection with said client in response to an HTTP request from said client (Webb: col. 2, lines 6-41; col. 4, lines 35-55), said two-way asynchronous communication between said messaging bus and said remote application occurring over said socket connection (Webb: col. 4, lines 35-55).

The Webb reference does not explicitly state communicating through a firewall.

The Cianfrocca reference teaches communicating asynchronous messages through a firewall with ports (Cianfrocca: col. 2, lines 11-25).

The Cianfrocca reference further teaches the invention allows for real time data feeds and heightened security against unauthorized connections (Cianfrocca: col. 2, lines 25-34).

Therefore it would have been obvious at the time of the invention to one of ordinary skill in the art to create a system for collaborative processing with distributed applications as taught by Webb while employing a firewall as taught by Cianfrocca in order to provide real time data feeds and heightened security against unauthorized connections (Cianfrocca: col. 2, lines 25-34).

Claims 3-4, 17-20, are rejected under the same rationale given above. In the rejections set fourth, the examiner will address the additional limitations and point to the relevant teachings of Webb and Cianfrocca.

Regarding claim 3, the system of claim 1, wherein the web server is in communication with the application CGI (Webb: col. 5, lines 5-11).

Regarding claim 4, the system of claim 3, wherein the application context includes an administration CGI in communication between the web server and the application CGI for receiving information about the application and providing a document for transmission by the web server (Webb: col. 2, lines 21-41).

Regarding claim 14, the system of claim 4, wherein the administration CGI is configured to format application data retrieved from the application through the application CGI into presentation data that is readable by another application (Webb: col. 4, lines 46-67).

Regarding claim 15, the system of claim 14, wherein the presentation data is in a format that is readable by a web browser (Webb: col. 4, lines 46-55; col. 5, lines 5-11).

Regarding claim 16, the system of claim 14, wherein the format of the presentation data is in HTML (Webb: col. 4, lines 46-55).

Regarding claim 6, the system of claim 1, further comprising a messaging bus extension adapted for maintaining direct socket connections between the messaging bus and remote applications (Webb: col. 4, lines 35-55).

Regarding claim 7, the system of claim 6, wherein the messaging bus extension includes a multiplexer for multiplexing one or more direct socket connections to the messaging bus (Webb: Fig. 3).

Regarding claim 11, the system of claim 6, wherein the messaging bus extension is configured to publish and subscribe message data between applications (Webb: Fig. 2).

Regarding claim 10, the system of claim 1, wherein each application is configured to publish and subscribe message data with other applications via the messaging bus (Webb: Fig. 2).

Regarding claim 17, the system of claim 1, wherein the remote application generates presentation data that is readable by another application (Webb: col. 1, lines 25-50).

Regarding claim 18, the system of 17, wherein the presentation data is in a format that is readable by a web browser (Webb: col. 2, lines 30-41).

Regarding claim 19, the system of claim 18, wherein the format of the presentation data is in HTML (Webb: col. 2, lines 30-41).

Regarding claim 20, the system of claim 17, wherein a web browser is configured to read the presentation data (Webb: col. 4, lines 5-11).

The Webb teaches:
Regarding claim 21, a system for collaborative processing with distributed applications (Webb: col. 1-2; lines 66-5; client and server), comprising:

at least one application context in which an application is executed (Webb: col. 2, lines 6-29), the application context including an application CGI for managing the application (Webb: col. 2, lines 6-29), and a communications interface on which application data is communicated as messages (Webb: col. 2, lines 6-29);

a messaging bus configured to communicate the messages for processing by the application (Webb: col. 1, lines 24-38; Fig. 1);

at least one gateway context including a gateway CGI configured for maintaining two-way asynchronous communication between the messaging bus and a remote application (Webb: col. 2; lines 3-5; col. 4, lines 14-24; col. 5, lines 19-26), said remote application being executed by a client to a web server (Webb: col. 2, lines 3-20), the gateway CGI being configured to:

a) receive a request from the remote application (Webb: col. 2, lines 6-29);

b) execute operations associated with the gateway CGI, wherein the operations are configured to perform the two-way asynchronous communication with the remote application (Webb: col. 2, lines 3-41); and

c) repeat at least one of the operations in step b) until termination of the gateway CGI by the remote application or by the gateway CGI (Webb: col. 6, lines 41-47); and

the web server, said web server being configured to establish a socket connection with said client through said firewall in response to an HTTP request from said client (Webb: col. 2, lines 6-41; col. 4, lines 35-55), said two-way asynchronous communication between said messaging bus and said remote application occurring over said socket connection (Webb: col. 4, lines 35-55).

The Webb reference does not explicitly state communicating through a firewall.

The Cianfrocca reference teaches communicating asynchronous messages through a firewall with ports (Cianfrocca: col. 2, lines 11-25).

The Cianfrocca reference further teaches the invention allows for real time data feeds and heightened security against unauthorized connections (Cianfrocca: col. 2, lines 25-34).

Therefore it would have been obvious at the time of the invention to one of ordinary skill in the art to create a system for collaborative processing with distributed applications as taught by Webb while employing a firewall as taught by Cianfrocca in order to provide real time data feeds and heightened security against unauthorized connections (Cianfrocca: col. 2, lines 25-34).

Claim 12-13 are rejected under 35 U.S.C. 103(a) as being unpatentable by U.S. Patent No 6,880,010 by Webb et al in view of U.S. Patent No. 6,088,796 by Cianfrocca et al.in further view of U.S. Patent No 6,192,394 by Gutfreund et al.

Regarding claim 12,

The Webb and Cianfrocca references teach the system of collaborative processing with distributed applications.

The Webb and Cianfrocca references do not explicitly teach filtering the message data on the message bus but Cianfrocca teaches packet filtering.

The Gutfreund reference teaches a messaging bus includes a filter for filtering the message data (Gutfreund: col. 5, lines 34-36; message filtering application).

The Gutfreund reference further teaches a collaboration system that utilizes the applets use the filter to check for messages that satisfy the filtering rules (Gutfreund: col. 7, lines 24-32).

Therefore it would have been obvious at the time of the invention to one of ordinary skill in the art to create the administration CGI in communication between a web server and the application as taught by Webb and Cianfrocca while employing message filters as taught by Gutfreund in order to find messages that meet the applications criteria (Gutfreund: col. 7, lines 24-32).

Claim 13 is rejected under the same rationale given above. In the rejections set fourth, the examiner will address the additional limitations and point to the relevant teachings of Gutfreund et al and Webb and Cianfrocca.

Regarding claim 13, the system of claim 12, wherein the filter is configured to filter messages according to a filter criteria executed by each application (Gutfreund: col. 7, lines 25-32).

Claims 8 and 9 rejected under 35 U.S.C. 103(a) as being unpatentable by U.S. Patent No 6,880,010 by Webb et al in view of U.S. Patent No. 6,088,796 by Cianfrocca et al in further view of U.S. Patent No. 5,426,637 by Derby et al.

Regarding claim 8,

The Webb and Cianfrocca references teach the system of claim 1 where a web server communicates with applications CGI.

The Webb and Cianfrocca references do not explicitly mention other remote buses.

The Derby reference teaches a messaging bus is configured to communicate with one or more other messaging busses, and wherein each other messaging bus is resident on a remote host (Derby: col. 4, lines 22-31; messaging busses are the LANs).

The Derby reference further teaches a system with reduced overhead that interconnects networks to transmitting data over long distances with speeds equal to local distances (Derby: col. 2, lines 8-14).

Therefore it would have been obvious at the time of the invention to one of ordinary skill in the art to create the web server that communicates with applications with CGI as taught by Belkin and Cianfrocca references while employing messaging busses connected together as taught by Derby in order to transmitting data over long distances with speeds equal to local distances (Derby: col. 2, lines 8-14).

Claim 9 is rejected under the same rationale given above. In the rejections set fourth, the examiner will address the additional limitations and point to the relevant teachings of Webb, Cianfrocca and and Derby et al.

Regarding claim 9, the system of claim 8, wherein the messaging bus is configured to communicate according to a multicast protocol (Derby: col. 14, lines 34-56).

PRIOR ART

U.S. Patent No. 5,590,281 by Stevens teaches asynchronous bidirectional communication across a network.

U.S. Patent Publication No. 2001/0042094 by Mitchell et al teaches formatting data to be sent across asynchronous bidirectional connections.

REMARKS

Applicant has amended the independent claims to include more detail from the instant specification and specification of copending application 09/766,439 (US Publication No. 2002/0099795) and dependent claims 2, 5 as well as change the claim tree off independent claim 1.

The examiner cautions applicant to keep substantial differences between the instant application and copending application to avoid statutory and obvious double patenting issues.

The examiner suggests define the contextual pieces of the instant application in the claims. The messaging bus should be further distinguished from a networking connection or bus. The application context should be defined as a part of the server apparatus. The web server needs to be defined as part of the server apparatus and the application CGI, administration CGI needs to explain how it manages the program and why. These statements need more details to overcome the art. The two way asynchronous connection alone is not novel but with the many details supporting the uses it might overcome the art.

Conclusion

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Benjamin R. Bruckart whose telephone number is (571) 272-3982. The examiner can normally be reached on 8:00-5:30PM with every other Friday off.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Saleh Najjar can be reached on (571) 272-4006. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see http://pair-direct.uspto.gov. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

Benjamin R Bruckart
Examiner
Art Unit 2155

brb

SALEH NAJJAR
SUPERVISORY PATENT EXAMINER